

**From:** Kalanga@aol.com@inetgw  
**To:** Microsoft ATR  
**Date:** 1/23/02 11:06am  
**Subject:** Microsoft Settlement

Dear Sir-

I have read the proposed settlement, and have the following comments:

1. J.1 and J.2 of the proposed final order, Microsoft can withhold technical information from third parties on the grounds that Microsoft does not certify the "authenticity and viability of its business.

This seems like letting the fox guard the hen house and will allow Microsoft to effectively get around this sanction. I believe either the court or some non-microsoft entity be allowed to make the necessary findings

2. Microsoft is given the right to select one member of the three members of the Technical Committee, who in turn gets a voice in selecting the third member. The committee is gagged, and sworn to secrecy, denying the public any information on Microsoft's compliance with the agreement, and will be paid by Microsoft, working inside Microsoft's headquarters.

Again this seems like letting the fox guard the hen house. Microsoft should have no ability to influence the membership of the technical committee. The court should appoint independent members and should pay for the committee from a fund established for the purpose. Microsoft should pay for this fund but it is the court that should determine its disbursement.

Sincerely,

Larry Galka